ACT OF THE GENERAL ASSEMBLY 2005-2006

Sec. 1. 10 V.S.A. § 541 is added to read: § 541. WORKFORCE DEVELOPMENT COUNCIL; STATE WORKFORCE INVESTMENT BOARD; MEMBERS, TERMS

- (a) The workforce development council is created as the successor to and the continuation of the governor's human resources investment council and shall be the state workforce investment board under Public Law 105-220, the Workforce Investment Act of 1998, and any reauthorization of that act. The council shall consist of the members required under the federal act and the following: the president of the University of Vermont or designee; the chancellor of the Vermont state colleges or designee; the president of the Vermont student assistance corporation or designee; the president of the Association of Vermont Independent Colleges or designee; a representative of the Abenaki Self Help Organization; at least two representatives of labor appointed by the governor in addition to the two required under the federal act, who shall be chosen from a list of names submitted by Vermont AFL-CIO, Vermont NEA, and the Vermont state employees association; one representative of the low income community appointed by the governor; two members of the senate appointed by the senate committee on committees; and two members of the house appointed by the speaker. In addition, the governor shall appoint enough other members who are representatives of business or employers so that one-half plus one of the members of the council are representatives of business or employers. At least one-third of those appointed by the governor as representatives of business or employers shall be chosen from a list of names submitted by the regional workforce investment boards. For the purposes of this section, "representative of business" means a business owner, a chief executive operating officer, or other business executive, and "employer" means an individual with policy making or hiring authority, including a public school superintendent or school board member and representatives from the nonprofit, social services, and health sectors of the economy. If there is a dispute as to who is to represent an interest as required under the federal law, the governor shall decide who shall be the member of the council.
- (b) Appointed members, except legislative appointees, shall be appointed for three-year terms and serve at the pleasure of the governor.
- (c) A vacancy shall be filled for the unexpired term in the same manner as the initial appointment.
- (d) The governor shall appoint one of the business or employer members to chair the council.
- (e) Legislative members shall be entitled to compensation and expenses as provided in 2 V.S.A. § 406, and other members shall be entitled to compensation and expenses

- as provided in 32 V.S.A. § 1010.
- (f) The department of labor shall provide the council with administrative support.
- (g) The workforce development council shall be subject to subchapters 2 and 3 of chapter 5 of Title 1, relating to public meetings and access to public records.
- (h) The commissioner of labor in consultation with the chair of the workforce development council shall appoint an executive director who shall be an exempt employee.
- (i) The workforce development council shall:
 - (1) Advise the governor on the establishment of an integrated network of workforce education and training for Vermont.
 - (2) Coordinate planning and services for an integrated network of workforce education and training and oversee its implementation.
 - (3) Establish and oversee workforce investment boards as provided in section 542 of this title.
 - (4) Establish goals for and coordinate the state's workforce education and training policies.
 - (5) Speak for the workforce needs of employers.
 - (6) Receive annual reports from the department of labor on the workforce education and training revenues and expenditures of agencies and institutions which are members of the council.
 - (7) Annually review and comment on workforce education and training revenues and expenditures of member agencies and institutions.
 - (8) Negotiate memoranda of understanding between the council and agencies and institutions involved in Vermont's integrated network of workforce education and training in order to ensure that each is working to achieve annual objectives developed by the council.
 - (9) Carry out the duties assigned to the state workforce investment board, as required for a single-service delivery state, under P.L. 105-220, the Workforce Investment Act of 1998, and any amendments that may be made to it.
 - (10) Annually, on or before January 15, report to the general assembly on activities carried out during the previous year in order to accomplish its mandate.